

Application No.: 09/416,959

Docket No.: 501.35437CV2

**REMARKS**

Entry of this Amendment in accordance with the provisions of 37 CFR § 1.116, and allowance of this application, as amended, is respectfully requested.

This Amendment is in supplement to the Request for Reconsideration filed on April 15, 2004, and is also in response to a telephone interview conducted with Examiner Pompey in this matter on May 11, 2004. Appreciation is expressed to Examiner Pompey for his courtesy and helpfulness during the course of the interview.

At the time of the interview, Examiner Pompey indicated that, after reviewing the Request for Reconsideration and the claims in the application, he had come to the conclusion that the claims would be allowable over all cited prior art if either or both of the layers 25 and 26 shown, for example, in Fig. 12 of the drawings were defined in the claims. Accordingly, by the present Amendment, each of the independent claims 42 and 47 has been amended to define:

"insulative spacers formed at least over one of upper surfaces or sidewalls of said first and second conductive strips."

It is noted that Examiner Pompey also indicated that he had discovered additional prior art in USP 5,449,634 and USP 5,292,681, but regarded the feature of the layers 25 and 26 to distinguish over this prior art as well.

Accordingly, in light of the Examiner's Indication that the amended language of claims 42 and 47 would be in condition for allowance, together with their respective dependent claims, entry of this Amendment for purposes of placing the application in condition for allowance is respectfully requested. It is noted that this Amendment is appropriate under the provision of 37 CFR § 1.116 which permits

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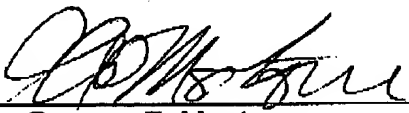
entry of an Amendment by an Examiner at any time, at the Examiner's discretion, for purposes of placing the application in condition for allowance. Applicants and the undersigned attorney greatly appreciate the Examiner's consideration and helpfulness in having reviewed the prior art and claim language to suggest allowable subject matter, as well as the indication that the present Amendment would be entered for purposes of placing the application in condition for allowance.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Docket No. 501.35437CV2), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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